

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMAZON.COM, INC., a Delaware corporation; AMAZON.COM SERVICES LLC, a Delaware limited liability company; THE BLACK & DECKER CORPORATION, a Maryland corporation; and BLACK & DECKER (U.S.) INC., a Maryland corporation,

Plaintiffs,

v.

HSIN TING YEH, an individual; ANTHONY CHEN, an individual; and DOES 1-10,

Defendants.

No. 2:24-cv-00945-JHC

ORDER GRANTING PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT AND PERMANENT INJUNCTION AGAINST DEFENDANTS HSIN TING YEH AND ANTHONY CHEN

THIS MATTER comes before the Court on the Motion for Default Judgment and Permanent Injunction (the Motion) brought by Plaintiffs Amazon.com, Inc., Amazon.com Services LLC (collectively, Amazon), and The Black & Decker Corporation and Black & Decker (U.S.) Inc. (collectively, Black & Decker, and together with Amazon, Plaintiffs) against Defendants Hsin Ting Yeh and Anthony Chen (together, Defendants). Dkt. # 28. The Court, having considered Plaintiffs' Motion, this matter's files and records, the governing law, and being fully advised, finds that Plaintiffs have established the liability of Defendants and their entitlement to damages and permanent injunction. Accordingly, the Court ORDERS:

ORDER GRANTING PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT AND PERMANENT INJUNCTION - 1
(2:24-cv-00945-JHC)

1 1. This Court has subject matter jurisdiction over this case as well as personal
2 jurisdiction over Defendants.

3 2. For the reasons set forth in the motion, including application of the *Eitel* factors,
4 Plaintiffs' Motion is GRANTED and JUDGMENT is entered against all Defendants on The
5 Black & Decker Corporation's cause of action for Trademark Counterfeiting and Trademark
6 Infringement (15 U.S.C. § 1114), Plaintiffs' cause of action for False Designation of Origin (15
7 U.S.C. § 1125(a)(1)(A)), Black & Decker's cause of action for False Advertising (15 U.S.C. §
8 1125(a)(1)(B)), Plaintiffs' cause of action for Violation of the Washington Consumer Protection
9 Act (RCW 19.86.010, *et seq.*), and Amazon.com Services LLC's cause of action for Breach of
10 Contract.

11 3. The Court awards The Black & Decker Corporation statutory damages based on
12 Defendants' willful violations of the Lanham Act, in the amount of \$8,000,000 against
13 Defendants Hsin Ting Yeh and Anthony Chen, jointly and severally, for counterfeit sales from
14 the following Selling Accounts: (1) Garden Daily; (2) Great 'n Handy; (3) Handpicked Daily;
15 (4) JWH Suppliers; (5) Morel2244; (6) ORT Store; (7) RB Tools; (8) SG Professionals;
16 (9) Southwest Supply Shop; (10) Tool Chest; (11) Warehouse Surplus n More; (12) Front Porch
17 Shop; (13) Garden and Yard; (14) Grill Tool Shop; (15) Hardware Assurance; (16) Priority
18 Drills; and (17) VE Tools (the "Selling Accounts").

19 4. The Court awards Amazon its actual damages for Defendants' breaches of
20 contract and false designation of origin under the Lanham Act in the amount of \$5,207,874.98
21 against Defendants Hsin Ting Yeh and Anthony Chen, jointly and severally, for Amazon's
22 damages arising from the counterfeit sales from the Selling Accounts.

23 5. Defendants and their officers, agents, servants, employees, and attorneys, and all
24 others in active concert or participation with them who receive actual notice of the order, are
25 hereby permanently ENJOINED AND RESTRAINED from:


26 a. selling counterfeit or infringing products in Amazon's stores;

- b. selling counterfeit or infringing products to Amazon or any Amazon affiliate;
- c. importing, manufacturing, producing, distributing, circulating, offering to sell, selling, promoting, or displaying any product or service using any simulation, reproduction, counterfeit, copy, or colorable imitation of Black & Decker's brand or trademarks, or which otherwise infringes Black & Decker's intellectual property, in any store or in any medium; and
- d. assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs (a) through (c) above.

6. The Court hereby retains jurisdiction over this case for the purpose of enforcing this Order and Injunction, and for any supplemental proceedings that may be authorized by law.

7. Plaintiffs' counsel is hereby directed to provide notice of this Order and Injunction on Defendants via mail at their last known addresses: 17 Whitney, Irvine CA 92620, and 426 Rosemarie Dr., Arcadia, CA 91007.

SO ORDERED this 3rd day of January, 2025.



JOHN H. CHUN
UNITED STATES DISTRICT JUDGE